

1 Q Do you have any knowledge as to whether she had
2 spoken with an attorney before having this conversation with
3 you about the propriety of acquiring the Odessa permit?

4 A Mr. Schonman, I don't recall if I asked her that or
5 not.

6 Q Why was Translator TV, Inc. considering acquiring a
7 full-power station at that point in time, but had not
8 considered acquiring a full-power station at any earlier time?

9 A I couldn't answer that. I don't know, sir.

10 Q Did you have any understanding as to whether the
11 Commission's rules allowed Translator TV, Inc. to acquire a
12 full-power station before this point in time?

13 A I don't remember, sir.

14 Q Why was Translator TV, Inc. considering acquiring a
15 full-power television station at this period of time -- and by
16 that, I mean late 1986, early 1987 -- but had not considered
17 acquiring a low-power station before that period of time?

18 A I don't think I know, sir.

19 Q Do you have any knowledge as to how much it may have
20 cost to acquire a low-power station in late 1986?

21 A I don't believe I would remember, sir.

22 Q Do you have any understanding as to whether the cost
23 of acquiring a low-power station would have been less than
24 acquiring a full-power station?

25 A I believe that would be an assumption on my part.

1 It makes sense, but no, I would not -- I could not tell you.

2 Q Given the financial condition of Translator TV, Inc.
3 in late 1986, would it have made more sense to acquire a low-
4 power station rather than a full-power station?

5 A It's possible, sir.

6 Q At the time that Translator TV, Inc. was considering
7 acquiring the Odessa construction permit, did you have any
8 understanding as to the maximum number of full-power
9 commercial TV stations that Translator TV, Inc. could acquire?

10 A I don't think I did, sir.

11 Q As you sit --

12 A Or at least I don't remember.

13 Q As you sit here now, do you know the maximum number
14 of commercial full-power stations -- TV stations that
15 Translator TV, Inc. or NMTV could acquire?

16 A It's my understanding that it's 14.

17 Q It's your understanding that NMTV could acquire 14
18 stations at the present time?

19 A Oh, at the present time? No, I do not know, sir.

20 Q And at any period during which you were a member of
21 NMTV's board -- and during that period, there were only three
22 members on the board, you, Dr. Crouch, and Mrs. Duff -- is it
23 your testimony that NMTV could acquire up to 14 full-power
24 commercial TV stations?

25 A No. I think that with Dr. Crouch being on the

1 corporation, it was -- it would be a matter of only being able
2 to add two more, if memory serves me right.

3 Q Where does that understanding come from?

4 A I believe it was by a conversation with Mrs. Duff.

5 Q She told you that's the way it worked?

6 A I believe that was the explanation given, yes, sir.

7 Q Do you recall when you had that conversation with
8 Mrs. Duff?

9 A No. Not really, sir.

10 Q At the time that you were considering acquiring the
11 Odessa permit, during any conversations you had with anyone,
12 did the nature of Mrs. Duff's employment with TBN come up at
13 all?

14 A Not to the best of my recollection, Mr. Schonman.

15 Q Did the fact that Translator TV, Inc.'s financial
16 statements were included in a combined statement with TBN, did
17 that come up at all during the period of time that you were
18 considering acquiring the Odessa permit?

19 A I believe not.

20 Q Were you aware that Colby May was also representing
21 TBN during the period of time that you were a director?

22 A That was my understanding, sir.

23 Q Did the fact that Colby May was representing TBN as
24 well as Translator TV, Inc. and NMTV, did that fact come up in
25 any conversations you had during the period of time that you

1 were considering acquiring the Odessa permit?

2 A Mr. Schonman, if it did, I don't remember.

3 Q Please turn to Bureau Exhibit Number 91. That's in
4 Volume Two, Pastor.

5 A 91?

6 Q 91. And those are the minutes of the combined 1985
7 annual meeting at which you were present. Do you have that
8 before you?

9 A Yes, sir.

10 Q You were asked questions about this document by Mr.
11 Cohen and Mr. Cohen referred you to Page Four where you will
12 note that Philip Crouch was elected as an assistant secretary
13 of Translator TV, Inc. Do you see that?

14 A Yes, sir.

15 Q And you testified yesterday that Philip Crouch was
16 elected to this position to assist the secretary, but you were
17 unable to identify anything that Philip Crouch did. Now,
18 during this period of time, isn't it a fact that Translator
19 TV, Inc. was relatively inactive?

20 A That is correct.

21 Q Why then was Philip Crouch elected as assistant
22 secretary of Translator TV, Inc.?

23 A I don't believe I questioned it, sir.

24 Q Well, I understand you may not have questioned it,
25 but do you know why he was elected to that position if the

1 company, to use your words, had nothing to do?

2 A No, sir. I couldn't tell you why.

3 Q Pastor, would you turn, please, to Bureau Exhibit
4 Number 122? And that's in Volume Three of the Bureau's
5 exhibits.

6 A 123?

7 Q 122. And that's a purchase agreement for the
8 purchase of the Odessa permit entered into on January 10,
9 1987. Do you have that document before you?

10 A Yes, sir.

11 Q As you leaf through that, and you don't have to read
12 it in any detail at all, my question for you is have you ever
13 seen this document before?

14 A Yes, Mr. Schonman.

15 Q When did you first see it if you can recall?

16 A It would've been years ago. I can't tell you the
17 year, but quite some time ago, sir.

18 Q Would it have been essentially contemporaneously
19 with the date of this document, January 1987?

20 A I believe so, sir.

21 Q Now, the purchase of the Odessa construction permit
22 -- please correct me if I'm wrong -- was the most significant
23 event to happen in TTI's existence up to that time.

24 A Yes, sir. That's correct.

25 Q Now, several days later, after this document was

1 signed, Translator TV, Inc. held an annual meeting with TBN
2 and the minutes of that meeting are reflected in Bureau
3 Exhibit Number 124.

4 A Yes, sir.

5 Q Now, Pastor Espinoza, I realize that you were not at
6 this meeting. Your name is not reflected as having been in
7 attendance at this meeting. Have you ever seen these minutes
8 before?

9 A I believe so, sir. Yes.

10 Q Do you have any explanation as to why there is no
11 discussion whatsoever about Translator TV, Inc.'s entering
12 into this purchase agreement for the Odessa permit in the
13 minutes of this meeting, even though that event was the most
14 significant event to take place in Translator TV, Inc.'s
15 history up to that time?

16 A No, sir. I can't. I don't know why.

17 Q You have no explana-- I'm sorry?

18 A I couldn't give you an explanation why.

19 Q Did you have any discussions with anyone about why
20 there was no mention in these minutes about the proposed
21 acquisition of the Odessa construction permit?

22 A If I did, I don't remember having any discussions.

23 Q Please turn to Paragraph 14 of your direct
24 testimony, sir. And I'd like you to pay particular attention
25 to that portion of Paragraph 14 which appears on Page Nine.

1 A Sir?

2 Q You've read that?

3 A Yes, sir.

4 Q Now, you state at the top of Page Nine that you

5 remembered the name change essentially because, to use your

6 words, the company -- I'm sorry. "It seemed like we were

7 really starting to move, to begin finally to fulfill our

8 purposes, particularly with respect to minorities." My

9 question for you is when did the company acquire the purpose

10 or the goal regarding minorities?

11 A Mr. Schonman, I don't know about the company. But

12 from the very beginning, I had hoped that my presence in the

13 corporation could somehow influence towards that area, towards

14 those goals.

15 Q But as you testified -- I'm sorry.

16 A Go ahead.

17 Q You're finished with your answer?

18 A Sure.

19 Q As you testified yesterday, however, the goal of the

20 company, at least initially, was to acquire translator

21 stations in order to broadcast TBN programming --

22 A Yes, sir.

23 Q -- to spread the gospel.

24 A Yes, sir.

25 Q In the next sentence, you state, "Very soon after

1 | our name change, Trinity decided to drop its block of Spanish
2 | language programming." What do you mean by that? What
3 | programming did the company drop?

4 | A Trinity Broadcasting had a block of Spanish programs
5 | that would appear on Saturdays. By this time, I had already
6 | canceled my program, but it still had a remaining block of
7 | Spanish programs and that block was dropped from Saturdays.

8 | JUDGE CHACHKIN: By Spanish programs, you mean
9 | Spanish language programs?

10 | MR. ESPINOZA: That is correct, sir.

11 | BY MR. SCHONMAN:

12 | Q Now, you say in the next sentence, "I hoped when the
13 | corporation had grown a bit and had become more financially
14 | secure, that NMTV would serve as an outlet for the Spanish
15 | language programming that TBN was no longer broadcasting. And
16 | when you say you hoped when the corporation, et cetera, et
17 | cetera, is the corporation meaning NMTV?

18 | A Yes, sir.

19 | Q What do you mean when you state you hoped when the
20 | corporation had grown a bit?

21 | A I think I was thinking more in terms of the fact
22 | that TBN had dropped its block of Spanish programs, that the
23 | day would come when somehow, if it would be possible, for NMTV
24 | to carry its own block of Spanish programs, if at all
25 | possible.

1 Q But by growing, what did you mean by growing,
2 acquiring more stations?

3 A I think I meant more in terms of becoming stronger.

4 Q Stronger in what way?

5 A Perhaps -- stronger financially or stronger perhaps
6 in the sense of having more stations. This is what I was
7 thinking of. Or perhaps I was thinking of the child becoming
8 stronger and simply growing.

9 Q This was just a hope on your part. Isn't that
10 correct?

11 A Well, I know what is a hope and a dream on my part.
12 Yes, sir.

13 Q In other words, Pastor, you didn't have any formula
14 as to when the company might become financially secure, did
15 you?

16 A No, I did not, sir.

17 Q There was no plan at all in existence?

18 A I believe not, sir.

19 Q Did you have anything beyond -- in your concept as
20 to how financially secure the company would have to be before
21 you felt satisfied that it had grown a bit?

22 A No, I had no concept.

23 BY JUDGE CHACKIN:

24 Q Now, when you talk about TBN had dropped its block
25 of Spanish language programming, I assume you mean Spanish

1 language -- preaching the gospel in the Spanish language. Is
2 that what you're talking about?

3 A That is correct, sir.

4 Q And it was your hope that someday you would be able
5 to preach the gospel in the Spanish language. Is that what
6 you were talking about, to replace TBN in that regard?

7 A If not I, that it could at least carry a Spanish
8 speaking program, sir. Yes, sir.

9 Q But of a religious nature, to preach the gospel.

10 A Oh, definitely. Yes, sir.

11 BY MR. SCHONMAN:

12 Q Pastor, please take a look at your direct testimony,
13 Paragraph 15, please.

14 A Yes, sir. Mr. Schonman?

15 Q Pastor Espinoza, do you know how much NMTV paid for
16 the Odessa construction permit?

17 A At the time, I did. Right now, I couldn't tell you.
18 I'm sure it's in here somewhere, but I couldn't tell you right
19 now. No, sir.

20 Q You can't even give me a ballpark figure?

21 A No. No, I couldn't, sir.

22 Q It wasn't \$500,000, was it?

23 A I don't remember right now. I'm sure at the time,
24 we talked about it. I knew, but right now, I couldn't tell
25 you, sir.

1 Q Did you review any documents which related in any
2 way to NMTV's acquisition of the Odessa construction permit?

3 A I may have, but I don't recall right now, sir.

4 Q Now, you state in Paragraph 15 that relatively soon
5 after the construction permit -- strike that. You state in
6 Paragraph 15 that relatively soon after the Commission granted
7 the assignment of the construction permit to NMTV that Dr.
8 Crouch made a motion to sell it. Do you know why Dr. Crouch
9 wanted to sell it?

10 A I believe that he had talked about getting into a
11 larger market, a larger area. Much of the discussion I don't
12 recall right now, but it was something along that line, sir.

13 Q But you didn't want to sell it. Is that correct?

14 A That's correct.

15 Q Now, you state in Paragraph 15, towards the bottom
16 of Page Nine, "I then suggested that the station begin
17 planning to quickly initiate local programming. Do you see
18 that?

19 A Yes, sir.

20 Q Now, we discussed this at -- you discussed this
21 rather at length with Mr. Cohen yesterday, that local
22 programming was an important desire of yours to have on the
23 Odessa station and at the very end of Paragraph 15, you state,
24 "Mrs. Duff supported the concept of local programming." Now,
25 at this time, there were three members on NMTV's board.

1 A Yes, sir.

2 Q You, Mrs. Duff, and Dr. Crouch, and two of you
3 wanted local programming. Is that correct?

4 A Yes, sir.

5 Q And Dr. Crouch did not want local programming. Is
6 that correct? In fact, he wanted to sell the station.

7 A That's correct.

8 Q During the period of time that you were a director
9 of NMTV, did the Odessa station ever broadcast local
10 programming?

11 A I believe no, sir.

12 Q In fact, a studio was never built for the Odessa
13 station. Is that true?

14 A That's my understanding.

15 Q Do you know why?

16 A I couldn't tell you why today, sir, no.

17 Q The construction of a studio for this station would
18 have been consistent with originating local programming,
19 wouldn't it?

20 A Exactly.

21 Q Did you play any role in the construction of the
22 Odessa station, any role whatsoever?

23 A No, sir, none. Not at all.

24 Q During the period of time that you were a director
25 of NMTV, did you ever travel to the Odessa station?

1 A I did not, sir.

2 Q Would you turn to Bureau Exhibit 134, please?

3 MR. TOPEL: It's in Volume Three.

4 MR. ESPINOZA: Thank you. 134?

5 BY MR. SCHONMAN:

6 Q Correct. I'd like to direct your attention to Pages

7 Two and Three of that exhibit. Have you ever -- sir, have you

8 ever seen this letter before?

9 A Mr. Schonman, I don't think so. I don't think so.

10 It doesn't look familiar.

11 Q Please turn to Bureau Exhibit 137. Now, Pastor --

12 I'm sorry. Before you go forward, were you familiar with any

13 attempts in 1987 on behalf of NMTV to acquire a television

14 station in Oroville, California?

15 A I don't believe so. The name doesn't sound familiar

16 at all.

17 Q And Oroville, California is the subject of the

18 letter you just reviewed which is Bureau Exhibit Number 134

19 and that letter -- that letter doesn't help you -- refresh

20 your recollection at all?

21 A 134?

22 Q Yes, which is the exhibit you were just looking at.

23 A No.

24 Q All right. Then let's turn to Bureau Exhibit Number

25 137, if you will. Do you have that before you?

1 A Yes.

2 Q Have you ever seen this letter before?

3 A I don't believe so, sir.

4 Q Are you familiar with any attempt on behalf of NMTV
5 to acquire a television station in Wilmington, Delaware during
6 the period of time that you were a member of NMTV's board?

7 A Yes. I recall some telephone conversation with Mrs.
8 Duff in regards to Wilmington, but the letter itself I don't
9 recall. But as far as having a conversation with Mrs. Duff,
10 yes, I do, sir.

11 Q Can you relate to me the substance of that
12 conversation with Mrs. Duff about the Wilmington station?

13 A No.

14 Q Do you see in this letter that you have before you,
15 there's the number one and it says, "NMTV will pay \$4,250,000
16 ..."

17 A Yes, sir.

18 Q In March of 1987, did NMTV have in excess of
19 \$4,000,000 to acquire any station?

20 A I don't know, but I don't think so, sir.

21 Q Where was NMTV going to come up with \$4,000,000+ to
22 purchase the Wilmington station?

23 A Mr. Schonman, this would be an assumption on my
24 part, but --

25 Q Well, I don't want you to assume. Do you know where

1 NMTV was going to come up with the money?

2 A No, sir.

3 Q Do you recall when you had this discussion with Mrs.
4 Duff about acquiring the Wilmington station?

5 A No, sir.

6 Q During the course of any discussions you had with
7 Mrs. Duff about acquiring the Wilmington station, was there
8 any discussion about where the money would come from to
9 purchase the station?

10 A No, I don't recall, sir.

11 Q Isn't it a fact that it was assumed by all involved
12 that TBN would provide the money?

13 A Well, this is what I tried to say, but I'm told that
14 I cannot assume. But I don't know, sir. It was an assumption
15 on my part. But I couldn't say with certainty, sir.

16 Q That assumption was that the money was going to come
17 from TBN. Is that correct?

18 A That is correct, sir.

19 Q Pastor Espinoza, how did you come to have that
20 assumption, that the money would come from TBN?

21 A I believe that we were relying on a stronger station
22 to provide the source to help us with that.

23 Q What does that mean, sir?

24 A We were hopeful of getting a loan.

25 Q No attempts were ever made to approach a bank or

1 other financial institution about getting money to acquire a
2 station to your knowledge. Is that correct?

3 A I don't think so, sir. I don't think -- I don't
4 know if an attempt was made. I believe not, but I don't know
5 for sure.

6 Q Your belief that the money would come from TBN is
7 based on this parent/child relationship that you believe
8 existed between the two companies?

9 A Yes, sir.

10 Q Pastor, would you look at Paragraph 16, please, of
11 your direct testimony? Pastor, in the first sentence of
12 Paragraph 16, you state that Mrs. Duff called you essentially
13 to inform you of another opportunity.

14 A That's correct.

15 Q Would you, please, relate to me the substance of
16 that conversation?

17 A I believe that she basically spoke of another
18 opportunity to buy another station and of course, to me it
19 represented another opportunity to preach the gospel. But,
20 Mr. Schonman, the actual content of the conversation, at this
21 point in time, I can't remember.

22 Q During that conversation, was there any discussion
23 about where the money would come to purchase the Portland
24 station?

25 A I don't recall, Mr. Schonman.

1 Q It was understood that the money, whatever the
2 amount, would come from TBN, correct?

3 A I believe so.

4 Q Pastor Espinoza, I'd like to direct your attention
5 to the asset purchase agreement for the Portland station and
6 that appears at Trinity Exhibit 101, Tab T as in Tom and your
7 counsel will show you that.

8 MR. TOPEL: Your Honor, that's in TBF Exhibit 101,
9 Volume Two.

10 MR. HOLT: TBF Exhibit 101, Tab T is now before the
11 witness.

12 MR. ESPINOZA: Thank you, Chris.

13 BY MR. SCHONMAN:

14 Q Pastor Espinoza, in looking over this purchase
15 agreement, my question for you is have you ever seen it
16 before?

17 A I don't think so, sir. The one on Page One. Is
18 that correct? T?

19 Q Yes. Tab T --

20 MR. COHEN: Let me help the witness, Your Honor.

21 MR. ESPINOZA: Tab T, Page One?

22 MR. SCHONMAN: Begin at Page 25, sir.

23 MR. COHEN: Let me help you, sir. Let me help you.

24 MR. SCHONMAN: I apologize. The purchase agreement
25 begins at Page 25 of Tab T.

1 MR. COHEN: This is what he's talking about.

2 MR. ESPINOZA: Okay. I was looking at a letter on
3 Page One.

4 MR. SCHONMAN: I apologize if I caused you any
5 confusion.

6 MR. ESPINOZA: Mr. Cohen, thank you, sir.

7 MR. COHEN: My pleasure.

8 MR. ESPINOZA: I believe not, sir.

9 BY MR. SCHONMAN:

10 Q That is you've -- you don't recall ever seeing it
11 before?

12 A That's correct.

13 Q Now, you state in your direct testimony that you
14 learned that this agreement had been signed when Dr. Crouch
15 announced the fact over a TBN broadcast. Is that correct?

16 A I believe that's correct, sir.

17 Q You were actually watching the program and heard Dr.
18 Crouch make this announcement?

19 A No.

20 Q Would you take a look, please, at your testimony at
21 the bottom of Page Ten? You state, "I remember quite vividly
22 when the contract for the Portland construction permit was
23 actually signed because Dr. Crouch mentioned that --

24 A I'm sorry? That was Paragraph --

25 Q Paragraph 16 and I'm reading from that portion of

1 Paragraph 16 which appears at the bottom of Page Ten.

2 A That's correct, sir.

3 MR. TOPEL: It carries over -- it carries over to
4 Page 11.

5 MR. ESPINOZA: Yes, sir.

6 BY MR. SCHONMAN:

7 Q Do you see the sentence that begins, "I remember
8 quite vividly ..."?

9 A Yes, sir.

10 Q Can you explain what you mean by that sentence?

11 A Well, you asked me if I was watching the program. I
12 answered I was not.

13 Q What, sir, do you mean by this sentence, you
14 remember quite vividly because Dr. Crouch mentioned that the
15 contract had been signed?

16 A Let me explain. The very next day, several of my
17 members called that had been watching and they heard of the
18 sale of Portland and apparently Dr. Crouch identified Mrs.
19 Duff and myself and so some of them assumed, and
20 unfortunately, they started calling other people and they
21 thought that I was going to leave the church and move to
22 Portland and so they were quite concerned and that's why I
23 remember it so vividly, because there was concern, "Pastor,
24 are you going --" I hope it was concern and not glee that I
25 was leaving.

1 Q I'm sure. My question for you, sir, is when the
2 members of your congregation brought this to your attention,
3 that Dr. Crouch had announced over the air that the contract
4 had been signed, is that when you first learned that the
5 contract had been signed?

6 A I don't think so, sir. I believe that Mrs. Duff had
7 already advised me of it. No, the reason that I brought it up
8 was because of the phone calls. I got quite a number of phone
9 calls. I was not aware that Dr. Crouch had mentioned it on
10 T.V. That's more of what I was referring to. I'm sorry, sir.

11 Q It was your understanding, wasn't it, that the
12 Portland station would broadcast TBN programming?

13 A Yes, sir.

14 JUDGE CHACHKIN: Let's take a ten-minute recess.

15 (Whereupon, a short recess was taken from 10:58 a.m.
16 until 11:08 a.m.)

17 Q Pastor Espinoza, after the Commission granted the
18 assignment of a construction permit for the Portland station
19 to NMTV, isn't it a fact that plans commenced immediately to
20 build a studio for the Portland facility?

21 A I believe that's correct, sir.

22 Q And that's because the three board members of NMTV
23 were all in agreement that the station should be constructed
24 and that a studio should be built. Is that correct?

25 A Yes, sir.

1 Q Why is it that plans were put in place immediately
2 after the grant to construct a studio for the Portland
3 station, but similar plans were never put in effect for
4 construction of a studio in Odessa?

5 A I couldn't tell you, sir.

6 Q Would you look at Paragraph 17 of your direct
7 testimony, sir? Pastor, you state near the top of Paragraph
8 17, "Mrs. Duff told us that a suitable building for a studio
9 was available." Do you see that?

10 A Yes, sir.

11 Q Do you know how Mrs. Duff learned that a studio was
12 available?

13 A No, I do not.

14 Q Now, you state that you felt a counter-offer of
15 \$400,000 was too low and that's why you opposed that. Is that
16 correct?

17 A Yes, sir.

18 Q Had you visited this studio?

19 A No.

20 Q What type of building was it? Do you know?

21 A I have no idea.

22 Q At that time, did you have any reason to believe
23 that the asking price of \$650,000 might be ridiculously high?

24 A No. I have no idea.

25 Q On what basis, then, did you object to the counter-

1 offer of \$400,000?

2 A Mr. Schonman, I think it was more of just a gut
3 feeling than anything else. If they were asking 650, to me it
4 just made sense that 400,000 was too far from what they were
5 asking. But I had no figures to base that on.

6 Q And you also had no experience in the purchase or
7 construction of studio space --

8 A No, sir.

9 Q -- for stations.

10 A No, sir.

11 Q It was assumed that the money for the acquisition
12 and/or construction of a studio for the Portland station would
13 come from TBN. Is that correct?

14 A Yes, sir.

15 Q Whatever the amount.

16 A I think so.

17 Q Please look at Paragraph 18 of your testimony, sir.
18 There was some discussion yesterday about the first sentence
19 of Paragraph 18 where you refer to NMTV having two full-power
20 stations under construction and what I'd like to try to do is
21 see if I can clear up any misunderstanding that I might have
22 and to do that, I'd like to have you refer to Bureau Exhibit
23 Number 2-3-0, 230, but keep your direct testimony available to
24 you. That's in Volume Four.

25 Now, sir, Exhibit 230 is a special meeting of NMTV

1 held on December 12, 1988 and you'll see in the third
2 paragraph there's a reference to the FCC having approved the
3 transfer of a construction permit for the Portland station.

4 Do you see that?

5 A Yes, sir.

6 Q So we know that as of December 12, 1988, NMTV had
7 just acquired the Portland station, okay?

8 A Yes, sir.

9 Q Now, if you look further down on the first page of
10 this exhibit, that is Exhibit 230, you'll see that there's a
11 reference to the Odessa station being well-received and being
12 supported by loyal viewers. That's three paragraphs from the
13 bottom.

14 A Are you -- back over here?

15 Q No, we're still on Exhibit 230. Do you have the
16 minutes of the December 12, 1988 meeting before you, which is
17 Bureau --

18 MR. TOPEL: It's in Volume Four.

19 JUDGE CHACHKIN: I think the witness had it before.

20 MR. ESPINOZA: I had it on 234 as opposed to 230.

21 BY MR. SCHONMAN:

22 Q All right. Then we'll start over. Exhibit 230 are
23 the minutes of the December 12, 1988 meeting. Do you have
24 that?

25 A Yes, sir.

1 Q Now, three paragraphs from the top, there's a
2 reference to the FCC approving the transfer of a construction
3 permit for the Portland station. Do you see that?

4 A Yes, sir.

5 Q So that would indicate to me that as of December 12,
6 1988, the Commission had approved the transfer -- had just
7 approved the transfer, that is, of the Portland station to
8 NMTV, okay?

9 A Yes, sir.

10 Q Now, further down in that same document, that is
11 Exhibit 230, three paragraphs from the bottom, there's a
12 reference to NMTV's Odessa station being well-received and
13 being supported by loyal viewers. Do you see that?

14 A Yes, sir.

15 Q That will tell me that the Odessa station was
16 already on the air at the time that NMTV acquired the Portland
17 station. Now, I'd like you to go back to your direct
18 testimony, Paragraph 18, you state, "The corporation now had
19 two full-power stations under construction," and my question
20 for you is was there ever a time when NMTV had two full-power
21 stations under construction, given what you've read in the
22 December 12, 1988 minutes?

23 A Mr. Schonman, it seems like my statement is
24 incorrect, given this.

25 Q Now, in Paragraph 18, you state, "Mrs. Duff called

1 me during this time period," and I'm trying to determine what
2 time period you're talking about since the first sentence was
3 incorrect. You've now stated that.

4 A Sure.

5 Q And this involves the Houston station.

6 JUDGE CHACHKIN: You mean the Odessa station.
7 Houston or Odessa?

8 MR. SCHONMAN: Judge, if you look at Paragraph 18,
9 the substance of this paragraph is about the question of
10 whether to sell or not sell the Houston station and that's the
11 time period that I believe Mr. Espinoza is testifying to in
12 this paragraph and I'm trying to determine what time period
13 that is.

14 MR. ESPINOZA: Mr. Schonman, if memory serves me
15 right, I think that I dealt with this area yesterday and I had
16 difficulty in trying to pinpoint what this "during this time
17 period" was, sir.

18 BY MR. SCHONMAN:

19 Q All right. Let's turn back to Bureau Exhibit Number
20 180 and this is in an effort to determine what time period
21 you're referring to in your direct testimony, sir. 180 is in
22 that same volume which you have before you. Now, Bureau
23 Exhibit Number 180 is a construction permit for NMTV's Houston
24 station. That is a low-power station. Do you have that
25 before you?